

AMENDMENT UNDER 37 C.F.R. § 1.111

Application No.: 10/671,406

Atty Docket No.: Q77447

REMARKS

The Office Action of April 21, 2004 has been received and its contents carefully considered.

Claims 1 to 25 are all the claims pending in the application.

The Examiner makes of record the telephone restriction requirement and applicants' election of the species of Compound 81 on page 63 of the specification for prosecution in this application. The Examiner states that applicants must affirm this election when responding to the Office Action. Applicants hereby affirm this election.

The Examiner states that the ultimate species represented by Compound 81 was not found during the search for prior art and, therefore, the examination has been extended to another species of the formula (XI).

The Examiner states that the further species that has been examined comprises a compound where L is a 1, 3, 5-benzenetriyl group, Q₃ is pyridine, m is 3, and R₁₁ is hydrogen or a substituent.

The Examiner has objected to the disclosure. The Examiner states that applicants are required to update the status of the parent application U.S. Application No. 10/224,377 on page 1, line 4 of the specification.

In response, applicants have amended the specification to update the status of the parent application to indicate that it is now U.S. Patent No. 6,656,612.

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Claims 2, 3, 15 and 16 have been rejected under the second paragraph of 35 U.S.C. § 112 as indefinite.

The Examiner states that in claims 2, 3, 15 and 16, the term “a group comprising” is not a proper Markush format.

In response, applicants have amended this term to read --a group selected from the group consisting of--.

In view of this amendment, applicants submit that claims 2, 3, 15 and 16 comply with requirements of the second paragraph of 35 U.S.C. § 112 and, accordingly, request withdrawal of this rejection.

Claims 1-25 have been rejected under 35 U.S.C. § 102(b) as anticipated by JP-09-188874 to Ebisawa et al.

Applicants submit that JP '874 to Ebisawa et al does not disclose the subject matter of the present claims and, accordingly, request withdrawal of this rejection.

The Examiner has argued that the compounds of formula (II) of JP '874 satisfy the recitations of formula (XI) in claims 1 and 14.

Applicants have amended claims 1 and 14, which are the only independent claims in the application, to exclude the 6-membered rings disclosed for Z in formula (II) of JP '874.

Thus, claims 1 and 14 as amended above require that Q₃ represents an atomic group necessary to form a 5-membered aromatic heterocycle.

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JP '874 discloses an organic light emitting device that contains a compound of formula (II), wherein Z in formula (II) represents benzene, pyridine, pyrimidine or pyridazine. See paragraph [0006] of JP '874. Z in formula (II) of JP '874 is in a position corresponding to Q₃ in the claims of the present application.

Accordingly, applicants submit that JP '748 does not anticipate claims 1 and 14 as amended above since it does not disclose a compound corresponding to the compound of formula (XI).

Further, JP '874 does not give a specific example of compound meeting the recitations of the present claims. In addition, JP '874 does not give any indication of which structure is critical, and does not provide any direction as to which of many possible choices is likely to be successful.

In summary, JP '874 does not suggest or render obvious a compound encompassed by claims 1 and 14 as amended above.

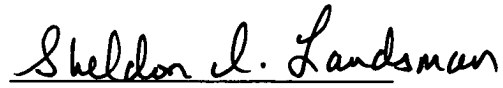
In view of the above, applicants submit that JP '874 does not disclose or suggest the subject matter of the present claims and, accordingly, request withdrawal of this rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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